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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/591,926	06/12/2000	Carol a. Lavelle	P4433	3688

7590

03/24/2003

Sun Microsystems Inc  
901 San Antonio Rd  
MS UPAL01-521  
Palo Alto, CA 94303

EXAMINER

YANCHUS III, PAUL B

ART UNIT	PAPER NUMBER
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2185

DATE MAILED: 03/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.	Applicant(s)	
09/591,926	LAVELLE ET AL.	
Examiner	Art Unit	
Paul B Yanchus	2185	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

Claim 4 is objected to because of the following informalities: There seems to be a typographical error in the dependency of claim 4 ["The method of *claim 5*"]. Appropriate correction is required.

For examination purposes it is assumed that claim 4 was intended to be dependent on claim 1.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-19, and 24-26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choi et al., US Patent no. 5,586,333, in view of Ogawa et al., US Patent no. 4,716,543.

Choi et al., teaches a computer system that controls the operating state of peripheral equipment based on a power management state of the computer system. Peripheral equipment is powered down when a system goes into a power management state. The system power management state is determined by inactive or idle time of input devices [column 3, lines 5-10 and column 8, lines 40-50].

Choi et al. does not teach directing access intended for a peripheral device to an alternate memory space when the peripheral device is powered off.

Ogawa et al. teaches directing access intended for a device to an alternate memory when the device is unavailable. Ogawa et al. teaches a system, which receives data from a remote source, and either transfers the received data to a printer or saves the received data in an alternate memory space [external storage]. A control program determines where the received data is to be routed. The received data is transferred to a printer when the printer is available. If the printer is not available [failure in printer], data is sent to an alternate memory space [external storage] to prevent loss of the received data [column 1, line 5 – column 2, line 65]. In summary, Ogawa et al. teaches a method comprising directing access intended for a device to an alternate memory space when the device is not available, in order to avoid loss of data intended for the device.

Ogawa et al. does not explicitly teach a method of updating a device with data saved in the alternate memory when the device becomes available. It would have been obvious to one of ordinary skill in the art to send the data saved in the alternate memory to the now-available device since the data was originally intended for the device.

It would have been obvious to one of ordinary skill in the art to combine the teachings of Choi et al. and Ogawa et al. Implementing the method taught Ogawa et al. in the power management system taught by Choi et al. would ensure that data intended for a device is not lost, during a power conserving state, when the device is turned off [Ogawa, column 1, lines 53-60].

Choi et al. and Ogawa et al. do not explicitly teach directing access intended for a device of another computer in a network to an alternate memory space when the device is turned off, in order to avoid loss of data intended for the device. However, it would have been obvious to one

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of ordinary skill in the art to apply the method taught by Choi et al. and Ogawa et al. to a device of another computer in a network as opposed to a device of the local computer.

Claims 5, 20-23 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choi et al. and Ogawa et al. as applied to claims 1-4, 6-19, and 24-26 and 29 above, and further in view of Suboh, US Patent no. 5,619,707.

As described above, Choi et al. and Ogawa et al. teach a method of managing power in a computer system comprising directing access intended for a device to an alternate memory space when the device is turned off, in order to avoid loss of data intended for the device. Choi et al. and Ogawa et al. do not specifically teach applying the method to a framebuffer. Suboh teaches a method of conserving power consumed by a video controller by reducing the power consumed in the frame buffer [column 2, lines 30-45].

It would have been obvious to one of ordinary skill in the art to combine the teachings of Choi et al. and Ogawa et al. with the teachings of Suboh. Applying the method of Choi et al. and Ogawa et al. to a device, such as a framebuffer in a video controller, would reduce unnecessary power consumption of a video controller, therefore, reducing conserving power in a computer system [Suboh, column 2, lines 15-25].

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul B Yanchus whose telephone number is (703) 305-8022. The examiner can normally be reached on Mon-Fri 8:00-5:30 (Every other Friday off).

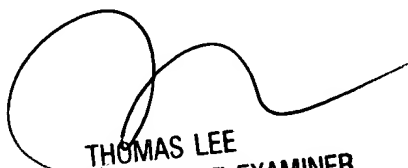
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (703) 305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9183 for regular communications and (703) 746-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Paul Yanchus

March 19, 2003



THOMAS LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100